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From: Gregory P. Einhorn - 38440

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Comments:

Attorney Docket: 564462000520
 Group Art Unit: 1634
 Examiner: E. Whisenant
 Serial No.: 09/888,224
 Filing Date: June 22, 2001
 Inventor(s): David LAM et al.
 Title: ENDOGLUCANASES, NUCLEIC ACIDS ENCODING THEM AND METHODS FOR MAKING AND USING THEM (As Amended)

Papers attached:

1. Request for Continued Examination (RCE) Transmittal (1 page);
2. Fee Transmittal (1 page + duplicate);
3. Petition for Extension of Time Under 37 CFR 1.136(a) (1 page);
4. RCE Response and Amendment (23 pages).

sd-213058

PTO/SB/30 (09-03)

Approved for use through 07/31/2008. OMB D651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Request For Continued Examination (RCE) Transmittal Address to: MS RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	<i>Application Number</i>	09/888,224
	<i>Filing Date</i>	June 22, 2001
	<i>First Named Inventor</i>	David LAM
	<i>Art Unit</i>	1634
	<i>Examiner Name</i>	E. Whisenant
	<i>Attorney Docket Number</i>	564462000520

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR 1.114.** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. Other _____

b. Enclosed

i. Amendment/Reply (23 pgs) iii. Information Disclosure Statement (IDS)

ii. Affidavit(s)/Declaration(s) iv. Fee Transmittal (1 pg + duplicate); Petition for Extension of Time (1 pg); Fax Cover Sheet (1 pg)

2. **Miscellaneous**

a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 03-1952

i. RCE fee required under 37 CFR 1.17(e)

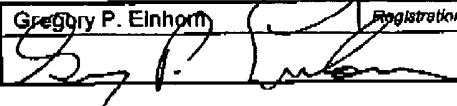
ii. Extension of time fee (37 CFR 1.136 and 1.17)

iii. Other _____

b. Check in the amount of \$ _____ enclosed

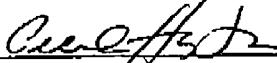
c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Gregory P. Einhorn	Registration No. (Attorney/Agent)	38,440
Signature			
	Date	August 5, 2004	

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 672-8306, on the date shown below.

Dated: August 5, 2004

Signature:  (Cecilia Huerta)

PTO/SB/17 (10-03)

Approved for use through 7/31/2006. OMB 0651-0022
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1,125.00)

Complete if Known	
Application Number	09/888,224
Filing Date	June 22, 2001
First Named Inventor	David LAM
Examiner Name	E. Whisenant
Art Unit	1634
Attorney Docket No.	564462000520

METHOD OF PAYMENT (check all that apply)

 Check Credit Card Money Order Other None
 Deposit Account:Deposit Account Number **03-1952**Deposit Account Name **Morrison & Foerster LLP**

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments Charge any additional fee(s) or any underpayment of fee(s) Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing or request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR or order to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	740.00
1285 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to Institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1602 460	2502 240	Design issue fee	
1503 840	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1906 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 345	Filing a submission after final rejection (37 CFR 1.129(e))	
1610 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	385.00
1802 900	1802 900	Request for expedited examination or a design application	
Other fee (specify)			

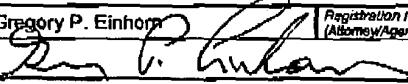
*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 1125.00)

** or number previously paid, if greater; For Reissues, see above

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Gregory P. Einhorn	Registration No. (Attorney/Agent)	38,440	Telephone	(858) 720-5133
Signature				Date	August 5, 2004

PTO/SB/22 (08-03)

Approved for use through 7/31/2008. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional) 564462000520
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In re Application of David LAM et al.			
Application Number 09/688,224		Filed June 22, 2001	
For ENDOGLUCANASES, NUCLEIC ACIDS ENCODING THEM AND METHODS FOR MAKING AND USING THEM (As Amended)			
Art Unit 1634		Examiner E. Whisenant	

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$ _____
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$ _____
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$ _____
<input checked="" type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$ 1,480.00
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$ _____

Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ 740.00

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director has already been authorized to charge fees in this application to a Deposit Account.

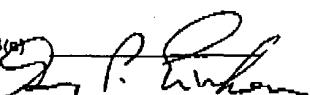
The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 03-1952

I have enclosed a duplicate copy of this sheet. Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

I am the applicant/inventor.
 assignee of record of the entire interest. See 37 CFR 3.71.
 Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
 attorney or agent of record. Registration Number 38,440
 attorney or agent under 37 CFR 1.34(a).
 Registration number if acting under 37 CFR 1.34(a)

August 5, 2004

Date



Signature

Gregory P. Einhorn

Typed or printed name

(858) 720-6133

Telephone Number

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below

Total of 1 forms are submitted.